

ELECTIONS DIVISION

Implementing NVRA

Department of Human Services (DHS)

v.1 2011



Georgia Secretary of State Elections Division

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ELECTION CONNECTION www.sos.ga.gov/electionconnection

PREFACE

Implementing NVRA in Department of Human Services is to be used as a guide for the administration of voter registration conducted by Georgia Agencies under the National Voter Registration Act of 1993 (NVRA).

This manual is not intended to be used as a substitute for the Georgia Constitution, relevant statutes, or applicable case law. Whenever there is a question regarding the interpretation of information contained in this guide, or of a particular section of the Election Code, or any other statute, the user should contact competent legal counsel or the Office of the Secretary of State, Elections Division.

GEORGIA SECRETARY OF STATE

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Introduction to NVRA

Background

In 1993, Congress passed the National Voter Registration Act ("NVRA"). In 1994, Georgia passed legislation to implement the NVRA, which became effective January 1, 1995. The purpose of the NVRA includes increasing the number of eligible citizens who register to vote in elections for federal office, enhancing the participation of eligible United States citizens in Federal elections, and protecting the integrity of the electoral process.

In addition to other methods of voter registration provided by State law, the NVRA requires states to establish procedures for voter registration by:

- Mail registration
- Application made simultaneously with an application for a motor vehicle driver's license
- Application in person at designated offices where persons apply for public assistance or which administer programs for the disabled
- Application in person at county and municipal registrar offices
- Application at public libraries
- Application at recruitment offices of the Armed Forces

Role of the Secretary of State's Office

The NVRA requires that each state designate a chief election official to be responsible for coordination of the state responsibilities under this act. The Secretary of State has been named the chief election official for the State of Georgia.

Under state law, the Secretary of State is charged with establishing and maintaining a statewide voter registration system. The system must be capable of meeting federal requirements for maintaining lists of both eligible active voters and inactive voters. The Secretary of State is responsible for overseeing statewide list maintenance activities and functions required under federal and state laws. These relate to updating voter information and removing ineligible persons from the voter lists.

Voter Registration in Georgia

To be eligible to register to vote, a person must:

- Be a citizen of the United States and a legal resident of Georgia
- Be at least 17 1/2 years of age (at least 18 years of age to vote).
- Not be serving a sentence for a conviction of a felony involving moral turpitude
- Not have been judicially declared to be mentally incompetent

Register to vote at the following Georgia locations:

- County and municipal registrar's office and other fixed voter registration sites
- Driver's license branch office (Department of Driver Services)
- Public Assistance offices which offer the following:
 - Food Stamp program
 - Medicaid program
 - Women, Infants, and Children (WIC) program
 - Aid to families with Dependent Children program
- Public Libraries
- Department of Labor Rehabilitation and other offices which provide state-funded programs primarily engaged in providing services to persons with disabilities
- Recruitment offices of the Armed Forces

Registering to Vote at a Designated Agency

Under the NVRA, states are required to establish procedures to register to vote in elections for Federal office by application in person at offices of designated agencies. Federal and state laws provide that an individual must be be offered the opportunity to register to vote <u>each time</u> he or she makes an application in person for the agency's services or with each recertification, renewal, or change of address form relating to such service.

DHS agency personnel are required to:

- Distribute a Georgia Voter Registration Application and a Declaration Statement to each applicant or recipient of public assistance at the time applications for public assistance or forms for recertification, renewal, or change of address are distributed to that applicant or recipient of public assistance.
- Assist applicants and recipients of public assistance in completing the voter
 registration application when assistance is requested. Provide the same degree of
 assistance to each applicant in completing the voter registration application as the
 agency provides to an applicant in completing its own forms. All applicants
 MUST sign his or her name, or make his or her mark on the application signature
 line in order for the application to be processed.
 - ** Anyone who provides assistance to an illiterate or disabled applicant by completing any written portion of the application on the applicant's behalf MUST also sign the voter registration application in the space provided to identify the person offering assistance.
- Accept completed voter registration applications and mail them to the Secretary of State's Office.

The Registration Paperwork

Two registration forms are distributed with <u>each</u> DHS application for public assistance or recertification, renewal, or change of address form:

1. Georgia Voter Registration Application (Appendix "A")

This is an official application used to determine voter eligibility. Forms should be completed as accurately as possible to ensure timely processing. The agency is responsible only for making sure that the application is complete. The agency is not responsible for making sure that the information is correct.

2. <u>Declaration Statement (Appendix "B")</u>

This form documents that the applicant was offered an opportunity to register to vote when applying for, renewing, or updating services. These forms must be kept on file by the agency for a period of not less than twenty-four (24) months.

Submitting Applications to the Secretary of State

To ensure timely processing of applications, completed voter registration applications must be mailed to the Secretary of State's Office as follows:

AGENCIES ARE REQUIRED TO MAIL ANY COMPLETED VOTER
REGISTRATION APPLICATIONS WEEKLY. THE EXCEPTION TO THIS RULE
IS DURING THE 15 DAYS PRIOR TO ANY REGISTRATION DEADLINE WHEN
SUBMITTAL OF ANY COMPLETED APPLICATIONS TO THE SECRETARY OF
STATE ELECTIONS OFFICE MUST BE MADE DAILY.

Election calendars can be found at: www.sos.ga.gov/electionconnection/

Note: If you do not have any completed applications, you do not need to submit anything to the Secretary of State's Office.

Mail the applications in the pre-paid envelope provided by the Secretary of State's Office. You may either include a duplicate copy of the daily recap sheet with your submittal or you may complete the agency submittal information in the designated area on the outside of the envelope.

Agency Paperwork

Declaration Statements (Appendix B)

You must keep declaration statements for at least twenty-four (24) months. Keep a monthly file. Use this file exclusively for declaration statements. Do not keep these declaration statements in client files.

The Secretary of State's Office recommends setting up a file containing 25 folders. Create one folder for each of the 24 months. At the end of the 25th month, destroy the contents of the first folder and create a new folder for the next month.

Daily Recaps (Appendix C)

Each agency shall maintain statistical records on the number of registrations and declinations. A Daily Recap Form may be used for this purpose and is available for download at Election Connection at www.sos.ga.gov/electionconnection/.

Ordering Materials

You should keep a two-week supply of applications, envelopes, and forms. Supplies can be ordered and/or downloaded from the Secretary of State agency portal at: www.sos.ga.gov/electionconnection.

Conversations with Applicants

Conversations with applicants should be handled with sensitivity. When a agency offers applicants the opportunity to register to vote, agency personnel **MUST NOT**:

- Try to influence an applicant's political preference or party affiliation.
- Display any political preference or party allegiance.
- Make any statement or take any action which would discourage an applicant from registering to vote.
- Make any statement or take any action which would lead an applicant to believe that registering to vote has any bearing on receiving services from the agency.

Handling Questions

Agency representatives and applicants will have questions about this process. Typical questions are listed below.

Q: What are the requirements for being able to register to vote?

A: The requirements are listed on the voter registration application. To register to vote, a person must:

- Be a citizen of the United States and a legal resident of Georgia.
- Be at least 17 1/2 years of age (at least 18 years of age to vote).
- Not be serving a sentence for a conviction of a felony involving moral turpitude.
- Have not been found mentally incompetent by a judge.

Q: What if the applicant wants to take the application and mail it later?

A: The applicant may take the application, complete it, and mail it later. This counts as a declination for record keeping purposes.

Q: What if the applicant refuses to provide responses to any of the questions on the voter registration application?

A: Continue processing the application. The county registrar will obtain missing information later.

Q: What if an applicant wants an application for a spouse or family member who is not at the agency, or is not requesting agency's services?

A: Give the applicant a voter registration application to give to the individual.

Q: What if an applicant asks questions about election dates or polling locations?

A: Refer the applicant to the telephone number listed on the application.

Q: Does an applicant have to register to vote again when he or she moves?

A: Yes. When a person moves to another county, he or she must register in the new county at least 30 days before an election to be eligible to vote.

If a person moves within the same county, he or she must complete a change of address notification. Persons can use the voter registration application form, or they can send in their current precinct card with the changes. In any case, a person must change his or her address at least 30 days before an election for the change to be effective for that particular election.

Q: What if an applicant wants to register at an address other than his residence?

A: The applicant must register using his or her residence address; the mailing address can be different.

Q: What if an applicant is moving in a few weeks and wants to register using the new address?

A: The applicant must register using his or her current address. After the applicant moves, he or she can complete the "change of address" portion on a voter registration application and submit it to the county registrar.

Q: What if an applicant is not sure he or she is eligible to register to vote?

A: Refer the applicant to the telephone number listed on the application.

Q: What if an applicant is homeless and does not have a residence address?

A: The applicant should use the physical address which he or she considers his or her home (for example, 1-20 West under bridge at exit 142). The mailing address should be wherever the applicant could pick up mail (for example, a homeless shelter or friend's home). The applicant should also include a drawing of where he or she resides with the application.

Q: Will an applicant have to re-register each year?

A: No. If a person is already registered, it is not necessary to register again unless he or she moves or has a change of name.

Q: Why does an applicant have to provide a driver's license number or the last 4 digits of their Social Security number?

A: These numbers are used to distinguish between voters with similar names and to cross reference voters with identifying information.

Q: If an applicant registers to vote, will the voter registration list be used for other purposes?

A: Yes. However, Social Security number, date of birth, driver's license number, and the location where a person registers to vote are confidential. The remaining voter registration information kept on file with the registrars is public record. Voter registration lists may be used to compile lists of registered voters for use by persons seeking political office, or to check that persons signing petitions are registered voters. Some counties use the voter registration list as one of their sources for compiling a jury list. Voter registration lists may not be used by any person for commercial purposes.

Getting Help

The Secretary of State's Office is available to provide support and assistance.

Please contact us at:

Secretary of State Elections Division 2 Martin Luther King Jr. Dr. Suite 802 West Tower Atlanta, Georgia 30334

Phone: (404) 656-2871 Email: <u>kriley@sos.ga.gov</u>

Election Connection

www.sos.ga.gov/electionconnection/



Quick Access Information

- Elections and Voter Registration Calendar
- Submit Agency Questions and Comments
- Voter Registration Status (MVP)



Voter Registration Supplies

- Online Supply Ordering
- Agency Daily Recap Reporting Form (printable version) v.1 2010
- Application for Voter Registration (printable version)
- DA Declaration Statement DS-07 v.1 2007

Agency Daily Recap Reporting ATF-08 is unavailable for online ordering until further notice. Please print 2 copies. Keep one for your agency records and include one in the Secretary of State return envelope.

Agency Declaration statement is unavailable for online ordering until further notice. Please print copies and continue current practice of retaining records separately from client file for 24 months.



Guides and Training Materials

- Implementing NVRA Agencies v.1 2010
- Voter Registration Training Attendee List V.1 2008

COMPLETING A VOTER REGISTRATION APPLICATION

Appendix A

In order for an applicant to be properly placed in the correct district for voting, it is important that sections 1, 2 and 4 are completed.

> For verification purposes, a Valid Georgia driver's license or Georgia ID number must be entered in this section if the voter has been issued one. If the applicant does not have either, the applicant must provide at least the last 4 digits of their Social Security number.

If an applicant checks the "no" box on either questions, then the voter registration process stops at that moment. The applicant cannot register to vote. O.C.G.A. § 21-2-561

Please make sure that applicants date and sign the application. This date will be their voter registration date once entered into the voter registration system. If the application is not signed and dated, this application will be rejected by the county registrar.

Anyone who provides assistance to an illiterate or disabled applicant by completing any portion of this application on the applicant's behalf MUST sign in this section.

> If an applicant was previously registered to vote in the State of Georgia and has a name change or a change of address, it is very important that the applicant completes this section.

STATE OF GEORGIA APPLICATION FOR VOTER REGISTRATION

Fill out the bottom half of this application by following these directions. Print clearly and use blue or black ink

- LEGAL NAME. Your full legal name including any suffix such as Sr., Jr., III, is required on this form
- ADDRESS. Provide residential address. This information is required.
- MAILING ADDRESS. If mailing address is different from residential address, complete the mailing address section.
- PERSONAL INFORMATION. A telephone number is helpful to registration officials if they have a question about your application. Gender and race are requested and are needed to comply with the Voting Rights Act of 1965, but are not mandated by law.
- VOTER IDENTIFICATION NUMBER. Federal law requires you to provide your full GA Drivers License number or GA State issued ID number. If you do not have a GA Drivers License or GA ID you must provide the last 4 digits of your Social Security number. Providing your full Social Security number is optional. Your Social Security number will be kept confidential and may be used for comparison with other state agency databases for voter registration identification purposes. If you do not possess a GA Drivers License or Social Security number please check the appropriate box and a unique identifier will be provided for you.
- OATH. Federal law requires that you answer the citizenship and age questions. Read the oath and sign your name. If you cannot complete this application unassisted because of physical disability or illiteracy, you must either sign or make your mark on the signature line, and the person assisting you MUST sign the signature space for person assisting voter.
- POLL OFFICER QUESTION. Your willingness to be a poll worker will have no bearing on your application for registration.
- NAME/ADDRESS CHANGE. Complete these sections to change the name or address of your current voter registration.
- MAP/DIAGRAM: If you live in an area without house numbers and street names, please include a drawing of your location to assist us in locating your appropriate voting precinct.
- DELIVERY INSTRUCTIONS: Verify that you have completed and signed the application. Enclose a copy of your ID if you are submitting this form by mail and registering for the first time in Georgia. Fold the application in half, remove the tape at the top, and press the edges together. The application is ready for you to mail (postage is prepaid) or deliver to your county voter registration office.
- You are NOT officially registered to vote until this application is approved. You should receive a voter precinct card in the mail. If you do not receive this acknowledgement within two to four weeks after mailing this form, please contact your county voter registration office. You can find your poll location and other election information on the Secretary of State's website at www.sos.state.ga.us/election

	following with your application: A copy of other government document that shows your Absentee Voting Act are exempt from this re	a cun name	rent and valid photo and address. Thos	o ID, a copy of a c	arrent utilit	ty bill, bank statement,	governme	nt check, paycheck, or
	nce copy of in pocket							Trim copy of ID to size
							CHAN	IGE OF ADDRESS
COUN	TTY PRECINCT MUNICIPAL PRECINCT	FI	CEU	O O	IION NO.	REGISTRATION NO.		IGE OF NAME
1	LAST NAME F.	IRST NA	AME		MIDI	DLE OR MAIDEN NAME		SUFFIX II. Sr. II
2	RESIDENCE ADDRESS: House No. and street name		APT. NO.	CITY	·	COUNTY	GA.	ZIP CODE
3	MAILING ADDRESS (If different from residence address): Post-office b	00 X OI 10	oute		СПҮ		STATE	ZIP CODE
4	TELEPHONE NUMBER DATE OF BIRTH: MM/DD/Y-		ENDER Male 🔲 Female		Hispanic	/Latino erican Indian Other		
5	provide last Number		icense or GA. LD. No., 1 of your Social Security		L SECURITY	NUMBER (OPTIONAL) Last 4 Digits (Required)	☐ Drive	c if you do not have a GA r's License, GA. I.D. No. or l Security No.
6	Are you a citizen of the Uniter States of America? Check Or Will you be 18 years of age on or before election day? Check If you checked "No" in response to either of the ISWEAR OR AFFIRM THAT: I reside at the address lay I am eligible to vote in I am not serving a sente I have not been judicially a been convicted of a fe I have not been judicially a sente I have n	ne: k One: hese qu	Yes No Yes No Under Under No U	·	such per law, who own nan registeri	NG: Any person who i son does not possess th o registers under any n ne, or who knowingly g ng shall be guilty of a i § 21-2-561	ne qualifica ame other pives false in felony.	tions required by than such person's
	Date Signature May we contact you about working as an Election	Г	CHANGE OF NAME: I	If you are changing your Suffix	name, list th	which you were p	reviously regis	Middle on Meiden Name
7				Active Duty? FADDRESS: If you are changing your address 5 previously registered to vote, list your previous Yes				
			СПҮ			COUNTY		STATE No

Appendix B DECLARATION STATEMENT

STATE OF GEORGIA

VOTER REGISTRATION DECLARATION STATEMENT

Name:	Date:
	Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.
If you are not registered today?	to vote where you live now, would you like to apply to register to vote here
☐ I would like to registe	er to vote
☐ I am presently regist	ered to vote
☐ I do not want to regis	ster to vote
IF YOU DO NOT CHECK REGISTER TO VOTE A	CANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO THIS TIME.
	filling out the voter registration application form, we will help you. The decision of help is yours. You may fill out the voter registration application in private.
right in privacy in decidin own political party or other	one has interfered with your right to register or to decline to register to vote or your g whether to register or in applying to register to vote, or your right to choose your er political preference, you may file a complaint with the Secretary of State at Dr., Suite 802 West Tower, Atlanta, Georgia 30334 or by calling 404 656-2871

STATE OF GEORGIA

VOTER REGISTRATION DECLARATION STATEMENT

Date:

	Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.
If you are not registered today?	to vote where you live now, would you like to apply to register to vote here
☐ I would like to registe	er to vote
☐ I am presently regist	ered to vote
☐ I do not want to regis	ster to vote
IF YOU DO NOT CHECK REGISTER TO VOTE A	KANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO THIS TIME.
	filling out the voter registration application form, we will help you. The decision of help is yours. You may fill out the voter registration application in private.
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Appendix C

		AGENCY	RECAP	FORM	
FROM:	AGENCY:				
	ADDRESS:				
		Street		City	Zip
	AGENCY C	ONTACT	AREA COD	E/TELEPHON	E NUMBER
	AGENCY C	ONTACT EMAIL			
DATE		NUMBER OF DECLINATIONS TODAY			COMPLETED VOTER ON APPLICATIONS
2010					
1 2010		AGENCY	RECAP	FORM	
	AGENCY:	AGENCY			
	AGENCY: _				
					Zip
12010 FROM:	ADDRESS:			City	Zip
	ADDRESS:	Street		City	Zip
	ADDRESS: AGENCY C	Street		City E/TELEPHON NUMBER OF C	Zip